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UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

LAFAYETTE DIVISION

RONALD COLEMAN CLARK

CIVIL ACTION 09-804

VERSUS

JUDGE HAIK

BURL CAIN, WARDEN

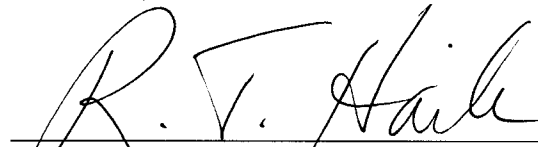
MAGISTRATE JUDGE METHVIN

RULING

This matter was referred to United States Magistrate Judge Mildred Methvin for Report and Recommendation. After an independent review of the record, and noting the absence of objections, this Court concludes that the Report and Recommendation of the Magistrate Judge is correct and adopts the findings and conclusions therein as its own.

Therefore, it is hereby **ORDERED, ADJUDGED, and DECREED** that the petition for writ of *habeas* is deemed a successive *habeas corpus* petition and it is hereby **TRANSFERRED** to the United States Court of Appeals for the Fifth Circuit pursuant to 28 USC section 1631 for further proceedings in accordance with the provisions of 28 USC section 2244(b).

THUS DONE and SIGNED on this 7th day of October, 2009.



RICHARD T. HAIK, SR., JUDGE
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA